

REMARKS AND ELECTIONS**1. Claim Status**

Upon entry of the amendments submitted herewith, claims 1-17, 22, and 44 are pending.

Applicants amend claim 1 as set forth above. Support for the amendment can be found in the claims as originally filed (for example, in original claims 1 and 41), as well as in the original specification (for example, in lines 32 of page 16 to line 3 of page 17, and in the first paragraph on page 11). No new matter is added by this amendment.

Applicants withdraw claims 18, 23-40, and 49-57 from consideration. Applicants cancel claims 19-21, 41-43 and 45-48 without prejudice, and reserve the right to prosecute any non-elected subject matter in a continuation application filed during the pendency of the present application.

2. Sequence Listing

The Examiner asserted that the application does not comply with 37 C.F.R. §§ 1.821 (a)(1) and (a)(2) since page 58 of the specification includes nucleotide sequences that lack associated SEQ ID NOs.

Applicants respectfully request reconsideration and withdrawal of this objection for the following reason:

In an effort to correct a clerical error, Applicants amended the sequence listing to include the sequences provided on page 58 of the specification. An electronic version of the substitute sequence listing was electronically forwarded to the USPTO on June 24, 2005 via the electronic filing system. A copy of the receipt verifying electronic filing of the electronic substitute sequence listing is enclosed herewith.

In addition, Applicants provided an amended paragraph to enter SEQ ID NOs for the sequences on page 58 of the specification. No new matter is added by this amendment.

3. Elections/Restrictions

(i) *The Examiner has restricted the pending claims into the following groups:*

Group I: Claims 1-17, 22, and 41-48, drawn to a compound 8 to 80 nucleobases in length targeted to a nucleic acid molecule encoding diacylglycerol acyltransferase 2, that inhibits the expression of diacylglycerol acyltransferase 2;

Group II: Claims 18, 23-40, and 49-57, drawn to a method of inhibiting the expression of diacylglycerol acyltransferase 2 in cells or tissues or an animal comprising contacting or administering with the compound of claim 1 or claim 4;

Group III: Claims 19-20, drawn to a method of screening for a modulator of diacylglycerol acyltransferase 2; and

Group IV: Claim 21, drawn to a method for identifying the presence of diacylglycerol acyltransferase 2 in a sample using at least one of the primers comprising SEQ ID NO: 6 or 7 or the probe comprising SEQ ID NO: 8.

Applicants elect Group I, claims 1-17, 22, and 41-48. Applicants have withdrawn claims 18, 23-40, and 49-57, and request that rejoinder of the claims in Group II (claims 18, 23-40, and 49-57) be considered upon allowance of Group I. All of the limitations of claim 1 have been incorporated into the withdrawn claims (18, 23-40, and 49-57) so that they may be considered for rejoinder upon allowance of claim 1. Applicants have cancelled claims 19-20, and claim 21 without prejudice and reserve the right to prosecute any non-elected subject matter in a continuing application filed during the pendency of the present application.

(ii) *Restriction of the sequences in claim 41 was also made by the Examiner.*

In an effort to advance prosecution of the instant application, claim 41 has been cancelled without prejudice, and claim 1 has been amended as set forth above to recite SEQ ID NO: 35. Applicants reserve the right to prosecute any non-elected subject matter in a continuing application filed during the pendency of the present application.

~~(iii) The Examiner also requires election of the corresponding target region of SEQ ID NO: 4, as set forth in claims 42-48.~~

In a good faith effort to advance prosecution, Applicants elect claim 44 and have cancelled claims 42-43 and 45-48 without prejudice. Applicants reserve the right to prosecute any non-elected subject matter in a continuing application filed during the pendency of the present application.

4. Fees

It is believed that no fee is due with this response. The Director is hereby authorized to charge any deficiency in any fees due with the filing of this paper or during the pendency of this application, or credit any overpayment in any fees to our Deposit Account Number 08-3040.

5. Conclusion

Applicants believe that the foregoing comprises a full and complete response to the Office Action of record. Accordingly, an early office action on the merits of this case is respectfully requested.

Respectfully submitted,

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